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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,902	08/16/2005	Shinsuke Yamashita	267031US6PCT	7849
22850	7590	08/24/2007		
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER GESESSE, TILAHUN	
			ART UNIT 2618	PAPER NUMBER
			NOTIFICATION DATE 08/24/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/526,902	YAMASHITA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Tilahun B. Gesesse	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5 and 11-18 is/are allowed.
- 6) ☒ Claim(s) 6-10 and 19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/7/05 &amp; 5/8/06</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 6-10 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Crosby et al (US 6628,928).

Claims 6-7, 15 Crosby teaches a broadcast receiving apparatus for receiving and demodulating broadcast signals of a selected frequency, (see abstract , figure 1-2, column 5, lines 65-column 7, line 58) in which receivers such as broadcast receivers 104 and 110 demodulate broadcast data from the broadcasting stations.

Crosby teaches receiving means for receiving data over a network (see column 5 , lines 65-column 7, line 58) and transmitting means for transmitting data over said

network (see column 5, lines 65-column 7, line 58 and figures 1-2).

Crosby teaches the transmitting means transmitting frequency data corresponding to the frequency of the broadcast signals being received and territory data corresponding to the territory where the broadcast receiving apparatus is used, to a broadcasting station specifying server specifying broadcasting station data corresponding to a broadcasting station transmitting the broadcasting signals (see column 8, line 59-column 10 line 29 and figures 3-5)

Crosby teaches the receiving means receiving broadcasting station data transmitted from the broadcasting station specifying server (see abstract and figures 1-2 column 8, line 58-column 10 line 29 and figures 3-5).

Claim 8. the transmitting means transmits said relevant information data over the network to a contents distribution server distributing contents and/or key data needed for using the contents (see interactive mobile radio transceiver , transmits broadcast over the receiver to the network , see column 5, lines 65-column 7, line 58 and figures 1-2).

Crosby teaches the receiving means receiving said contents and/or the key data transmitted from said contents distribution server over said network (see column 7, lines 26-61 and figure 1) in which receiver 110 receive content data to the network.

Claim 9. Crosby teaches everything as explained above , further more, Crosby teaches the transmitting means transmitting desired recording medium specifying data, out of said recording medium specifying data received by said receiving means, to said recording medium sale server (see column 8, line 60 through column 10 line 29 and figures 3-6).

Claim 10, Crosby teaches all the limitation as explained above, further more, Crosby teaches storage means for storing frequency data corresponding to the frequency of the broadcast signals, territory data corresponding to the territory where

the broadcast receiving apparatus is used, (see column 4, lines 46-67 and column 9, lines 26-29).

Claim 19, Crosby teaches a method for broadcast receiving apparatus for receiving and demodulating broadcast signals of a selected frequency, (see abstract , figure 1-2, column 5, lines 65-column 7, line 58) in which receivers such as broadcast receivers 104 and 110 demodulate broadcast data from the broadcasting stations.

Crosby teaches receiving means for receiving data over a network (see column 5 , lines 65-column 7, line 58) and transmitting means for transmitting data over said network (see column 5, lines 65-column 7, line 58 and figures 1-2).

Crosby teaches the transmitting means transmitting frequency data corresponding to the frequency of the broadcast signals being received and territory data corresponding to the territory where the broadcast receiving apparatus is used, to a broadcasting station specifying server specifying broadcasting station data corresponding to a broadcasting station transmitting the broadcasting signals (see column 8, line 59-column 10 line 29 and figures 3-5).

#### ***Allowable Subject Matter***

Claims 1-5,11-18 are allowed.

#### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mackintosh et al (US 6,317,784) teaches storing program materials and supplemental data (See figure 9).

Art Unit: 2618

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flexible schedule.

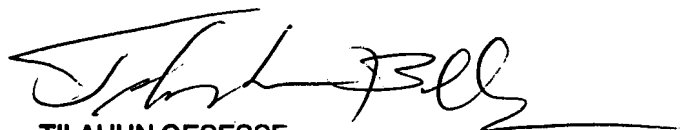
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 571-272-7899.

The Central FAX Number is 571-273-8300. For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number .

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TG

August 13, 2007

  
TILAHUN GESESSE  
PRIMARY EXAMINER